

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

MICHAEL G. HAMILTON

Petitioner

Case No. C-3-08 -CV-417

-vs-

District Judge Thomas M. Rose

LONDON CORRECTIONAL INSTITUTION

Respondent

ENTRY AND ORDER OVERRULING THE OBJECTIONS (DOC. #3) BY PETITIONER TO THE REPORT AND RECOMMENDATIONS OF THE MAGISTRATE JUDGE (DOC. #2) FILED DECEMBER 8, 2008, ADOPTING SAID REPORT AND RECOMMENDATIONS; ORDERING CASE TRANSFERRED TO THE UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT PURSUANT TO 28 U.S.C. 1631 TERMINATING THIS CASE ON THE DOCKET OF THIS COURT.

This matter comes before the Court pursuant to a Report and Recommendation (Doc. #2) of Magistrate Judge Susan Ovington, filed December 1, 2008 and Objections (Doc. #3) to that Report and Recommendation filed by Defendant on December 8, 2008.

The Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all of the filings in this matter. Upon full and complete consideration of the foregoing, the Court has determined that the Objections filed are not well-founded and therefore, OVERRULED. The Report and Recommendation of the Magistrate Judge is ADOPTED in its entirety.

This action is ORDERED transferred to the United States Court of Appeals for the Sixth Circuit pursuant to 28 U.S.C. 1631 terminating the case on the docket of the Court.

IT IS SO ORDERED.

January 21, 2009

***S/THOMAS M. ROSE**

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE